

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ISELA CARMEAN, on behalf of herself and  
all others similarly situated,

Plaintiff,

v.

MACY'S RETAIL HOLDINGS, INC.

Defendant.

**Case Nos.: 1:21-cv-135**

**Judge: Sharon Johnson Coleman**

**Magistrate Judge: Maria Valdez**

**DEFENDANT MACY'S RETAIL HOLDINGS, INC.'S MOTION TO DISMISS  
FOR LACK OF SUBJECT MATTER JURISDICTION  
UNDER F.R.C.P. 12(B)(1) AND 28 U.S.C. 1407**

Defendant Macy's Retail Holdings, Inc. ("Macys"), submits this Motion to Dismiss for Lack of Subject Matter Jurisdiction Under F.R.C.P. 12(B)(1) and 28 U.S.C. 1407. For reasons presented in the concurrently-filed Memorandum of Law, the MDL plaintiffs lack subject matter jurisdiction to bring claims against Macy's in the MDL. Therefore, the Consolidated Complaint's claims against Macy's should be dismissed with prejudice.

WHEREFORE, Macy's respectfully requests that the claims against Macy's in the Consolidated Complaint be dismissed in their entirety with prejudice, that Macy's be awarded its costs, and for any other relief that this Court deems just and proper.

Dated: May 12, 2021

Respectfully submitted,

**MACY'S RETAIL HOLDINGS, INC.**

*/s/ Daniel R. Saeedi*

Daniel R. Saeedi (ARDC #6296493)

[dsaeedi@taftlaw.com](mailto:dsaeedi@taftlaw.com)

Rachael L. Schaller (ARDC #6306921)

[rschaller@taftlaw.com](mailto:rschaller@taftlaw.com)

Andrew S. Murphy (ARDC #6328808)

[amurphy@taftlaw.com](mailto:amurphy@taftlaw.com)

TAFT STETTINIUS & HOLLISTER LLP

111 E. Wacker Drive, 28<sup>th</sup> Floor

Chicago, IL 60601

(312) 527-4000